

## **REGULATION II - PERMITS AND FEES**

### **RULE 280 FEES**

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**MARICOPA COUNTY  
AIR POLLUTION CONTROL REGULATIONS**

**REGULATION II - PERMITS AND FEES**

**RULE 280  
FEES**

**SECTION 100 - GENERAL**

- 101 PURPOSE:** To establish fees to be charged to owners and operators of sources of air pollution subject to these rules.
- 102 APPLICABILITY:** Every person owning/operating equipment or engaged in activities that may cause or contribute to air pollution is subject to the prescribed fees in this rule.

**SECTION 200 - DEFINITIONS:** For the purpose of this rule, the following definitions shall apply:

- 201 ANNUAL ADMINISTRATIVE FEE** – Paid annually by a source to recover the average cost of services required to administer the permit and conduct inspections. For a Non-Title V permitted source, the annual administrative fee also covers the cost of renewing the Non-Title V permit. For a General permitted source, the annual administrative fee also covers the cost of reapplying for authorization to operate under a General Permit.
- 202 BILLABLE PERMIT ACTION** - The review, issuance or denial of a new permit, significant permit revision, or minor permit revision, or the renewal of an existing permit.
- 203 EXISTING SOURCE** - A source that has commenced construction and has been issued a permit pursuant to ARS §49-480 after September 1, 1993.

- 204 ITEMIZED INVOICE** - A breakdown of the permit processing time into the categories of pre-application activities, completeness review, substantive (technical) review, and public involvement activities, and within each category, a further breakdown by employee name.
- 205 NON-MAJOR TITLE V SOURCE** – A source required to obtain a Non-Title V permit under Rule 200 to which both of the following apply:
- 205.1** The source is classified as a Synthetic Minor Source, and
- 205.2** The source has a permit that contains allowable emissions greater than or equal to 50% of the major source threshold.
- 206 REGULATED AIR POLLUTANT** - For the purposes of Section 305 of this rule, regulated air pollutant consists of the following air pollutants:
- 206.1** Any conventional air pollutant as defined in ARS §49-401.01, which means any pollutant for which the Administrator of EPA has promulgated a primary or a secondary national ambient air quality standard (NAAQS) except carbon monoxide (i.e., for nitrogen oxides ~~(NO<sub>x</sub>)~~ (NO<sub>x</sub>), lead, sulfur oxides ~~(SO<sub>x</sub>)~~ (SO<sub>x</sub>) measured as sulfur dioxides ~~(SO<sub>2</sub>)~~ (SO<sub>2</sub>), ozone, and particulates).
- 206.2** Nitrogen oxides ~~(NO<sub>x</sub>)~~ (NO<sub>x</sub>) and volatile organic compounds (VOCs).
- 206.3** Any air contaminant that is subject to a standard contained in Rule 360 (New Source Performance Standards) of these rules or promulgated under Section 111 (Standards of Performance for New Stationary Sources) of the Act.
- 206.4** Any hazardous air pollutant (HAP) as defined in ARS §49-401.01 or listed in Section 112(b) (Hazardous Air Pollutants; List of Pollutants) of the Act.
- 206.5** Any Class I or II substance listed in Section 602 (Stratospheric Ozone Protection; Listing of Class I and Class II Substances) of the Act.
- 207 SOURCES REQUIRED TO HAVE A TITLE V PERMIT** - The following sources shall be considered sources required to have a Title V permit:
- 207.1** Any source required to have a Title V permit under Rule 200, Section 302 of these rules;
- 207.2** Any source that qualifies for a Non-Title V permit but that elects to have a Title V permit under Rule 200, Section 302 of these rules.

## SECTION 300 - STANDARDS

**301 TITLE V PERMIT FEES:** The owner or operator of a source required to have a Title V permit shall pay fees according to the following provisions:

**301.1 Fees For Billable Permit Actions:** The owner or operator of a Title V source shall pay ~~\$108.00~~ \$133.50, adjusted annually under Section 304 of this rule, for all permit processing time required for a billable permit action. The fee shall be paid as follows:

a. An application shall be submitted with the applicable fee from the table below:

Type of Application	Application Fee
New permit application	\$7,000
Significant permit revision application that is a result of a major modification	\$7,000
Other significant permit revision applications	\$1,000
Minor permit revision application	\$150
Permit renewal application	\$3,500

b. The actual cost of public notice conducted according to Rule 210 of these rules, including costs incurred by the Control Officer to publish public hearing notice(s) in the newspaper(s), to hire a hearing officer, to hire transcription or court reporting services, and to rent meeting room space.

~~b. c.~~ At any time after submittal of the application, the Control Officer may request additional application fees based on the cost to date of reviewing and acting on the application, minus all fees previously submitted for the application.

~~c. d.~~ When permit processing is completed for a facility, the Control Officer shall send an itemized invoice. The invoice shall indicate the total actual cost of reviewing and acting upon the application, the actual cost of public notice as required by Section 301.1 b of this rule, all fees previously submitted, and the balance due.

~~d. e.~~ The Control Officer shall not issue a permit, permit revision, or permit renewal until the balance due on the itemized invoice is paid in full. The Control Officer may deny a permit, a permit revision, or a permit renewal in accordance with Rule 200 of these rules if the applicant does not pay fees required for billable permit actions within 90 days of the invoice date.

**301.2 Annual Fees:** The owner or operator of a Title V source shall pay an annual administrative fee plus an emissions-based fee as follows:

- a. The applicable annual administrative fee from the table below, as adjusted annually under Section 304 of this rule. The fee is due on the first anniversary date of the initial permit covering construction and startup of operations and annually thereafter on that date.

Title V Source Category	Annual Administrative Fee
Aerospace	<del>\$13,580</del> <u>\$18,220</u>
Air Curtain Destructors	<u>\$840</u>
Cement Plants	<del>\$44,520</del> <u>\$68,590</u>
Combustion/Boilers	<del>\$10,820</del> <u>\$16,680</u>
Compressor Stations	<del>\$9,420</del> <u>\$13,560</u>
Expandable Foam	<del>\$9,960</del> <u>\$14,720</u>
Landfills	<del>\$11,800</del> <u>\$18,060</u>
Lime Plants	<del>\$41,700</del> <u>\$64,790</u>
Copper & Nickel Mines	<del>\$10,480</del> <u>\$16,150</u>
Gold Mines	<del>\$10,480</del> <u>\$16,150</u>
Paper Mills	<del>\$14,310</del> <u>\$22,060</u>
Petroleum Products Terminal Facilities	<del>\$17,480</del> <u>\$25,670</u>
Polymeric Fabric Coaters	<del>\$11,560</del> <u>\$18,060</u>
Reinforced Plastics	<del>\$9,040</del> <u>\$13,560</u>
Semiconductor Fabrication	<del>\$18,830</del> <u>\$29,010</u>
Copper Smelters	<del>\$44,520</del> <u>\$68,590</u>
Utilities – Primary Fuel Natural Gas	<del>\$8,450</del> <u>\$9,410</u> + <u>\$15,130</u> <u>\$16,410</u> per turbine installed/ modified after May 10, 1996 and subject to annual source testing or CEM RATA* certifications
Utilities - Fossil Fuel Except Natural Gas	<del>\$22,760</del> <u>\$35,080</u>
Vitamin/Pharmaceutical Manufacturing	<del>\$11,050</del> <u>\$17,020</u>
Wood Furniture	<del>\$9,820</del> <u>\$14,930</u>
Others	<del>\$12,250</del> <u>\$18,040</u>
Others With Continuous Emissions Monitoring	<del>\$14,320</del> <u>\$22,070</u>

\*Continuous emissions monitoring relative accuracy test audit (CEM RATA)

- b. An emissions-based fee of ~~\$13.24~~ \$38.25 per ton of actual emissions of all regulated pollutants emitted during the previous calendar year as determined by Section 305 of this

rule. The fee is adjusted annually under Section 304 of this rule.

**302 NON-TITLE V PERMIT FEES:** The owner or operator of a source required to have a Non-Title V permit under Rule 200, Section 303 of these rules shall pay fees according to the following provisions:

**302.1 Fees For Billable Permit Actions:** Except for the renewal of an existing permit, the owner or operator of a Non-Title V source shall pay to the Control Officer ~~\$108.00~~ \$133.50 per hour, adjusted annually under Section 304 of this rule, for all permit processing time required for a billable permit action. The minimum fee due shall be \$200.00. The fee shall be paid as follows:

- a. An application shall be submitted with an application fee of \$200.00.
- ~~b.~~ The actual cost of public notice conducted according to Rule 220 of these rules, including costs incurred by the Control Officer to publish public hearing notice(s) in the newspaper(s), to hire a hearing officer, to hire transcription or court reporting services, and to rent meeting room space.
- ~~b. c.~~ At any time after the submittal of an application the Control Officer may request an additional application fee based on the cost to date of reviewing and acting on the application, minus all fees previously submitted for the application.
- ~~c. d.~~ When permit processing is completed and final costs are greater than the fee submitted with the application under Section 302.1(a) of this rule, the Control Officer shall send an itemized invoice. The invoice shall indicate the total cost of reviewing and acting upon the application, the actual cost of public notice as required by Section 302.1(b) of this rule, all fees previously submitted, and the balance due.
- ~~d. e.~~ The maximum fee for processing permit applications listed in Section 302.1 of this rule is \$25,000.00.
- ~~e. f.~~ The Control Officer shall not issue a permit or permit revision until the balance due on the itemized invoice is paid in full. The Control Officer may deny a permit or a permit revision in accordance with Rule 200 of these rules if the applicant does not pay fees required for billable permit actions within 90 days of the invoice date.

**302.2 Annual Administrative Fees:** The owner or operator of an existing Non-Title V source shall pay the applicable annual administrative fee from the table below, as adjusted annually under Section 304 of this rule. The fee is due on the first anniversary date of the initial permit covering construction and startup of operations and annually thereafter on that date.

<b>Fee Tables</b> Source categories designated as Fee Tables A-G are listed in Sections 403.1-403.7 of this rule	<b>Annual Administrative Fee</b>
Sources listed in Fee Table A (see Section 403.1)	<del>\$5,880</del> <u>\$5,940</u>
Sources listed in Fee Table B (see Section 403.2)	<del>\$1,660</del> <u>\$1,540</u>
Sources listed in Fee Table C – D (see Section 403.3 and <del>403.4</del> <u>403.4</u> )	<del>\$520</del> <u>\$600</u>
Sources listed in Fee Table E (see Section 403.5)	<del>\$370</del> <u>\$320</u>
Sources listed in Fee Table F (see Section 403.6)	<del>\$7,380</del> <u>\$7,880</u>
Sources listed in Fee Table G (see Section 403.7)	<del>\$4,780</del> <u>\$4,750</u>
Sources listed in Fee Table H (see Section 403.8)	<u>\$7,880</u>
Sources listed in Fee Table I (see Section 403.9)	<u>\$4,750</u>

**303 GENERAL PERMIT FEES:** The owner or operator of a source required to obtain a permit pursuant to these rules who elects to be covered by a general permit shall pay fees according to the following provisions:

**303.1 Fees Due With An Application:** The owner or operator of a source initially applying for authorization to operate under a General Permit shall pay the applicable fee from the table below with the submittal of the application.

<b>Fee Table</b> Source Categories designated as Fee Tables A-G are listed in Sections 403.1 - 403.7 of this rule	<b>Application Fee</b>
Title V General Permits	Fee from Section 301.1(a) table for Title V source category
Sources Listed in Fee Table A (see Section 403.1)	<del>\$3,580</del> <u>\$4,870</u>
Sources Listed in Fee Table B (see Section 403.2)	<del>\$1,190</del> <u>\$3,250</u>
Sources Listed in Fee Table C - D (see Section 403.3 and 403.4)	<del>\$380</del> <u>\$320</u>
Sources Listed in Fee Table E (see Section 403.5)	<del>\$290</del> <u>\$240</u>
Sources Listed in Fee Table F (see Section 403.6)	<del>\$6,200</del> <u>\$6,910</u>
Sources Listed in Fee Table G (See Table 403.7)	<del>\$4,030</del> <u>\$4,130</u>
Sources Listed in Fee Table H (see Section 403.8)	<u>\$6,910</u>
Sources Listed in Fee Table I (See Table 403.9)	<u>\$4,130</u>

**303.2 Annual Administrative Fee:** The owner or operator of a source with an authorization to operate under a General Permit shall pay



the applicable annual administrative fee from the table below, as adjusted annually under Section 304 of this rule. The fee is due on the first anniversary date of the initial approval to operate under a General Permit and annually thereafter on that date.

<b>Fee Table</b>	<b>Annual Administrative Fee</b>
Source categories designated as Fee Tables A - G are listed in Sections 403.1 - 403.7 of this rule	
Title V General Permits	Fee from Section 301.2(a) table for Title V source category
Sources Listed in Fee Table A (see Section 403.1)	<del>\$3,580</del> <u>\$4,870</u>
Sources Listed in Fee Table B (see Section 403.2)	<del>\$1,190</del> <u>\$3,250</u>
Sources Listed in Fee Table C - D (see Section 403.3 and 403.4)	<del>\$380</del> <u>\$320</u>
Sources Listed in Fee Table E (see Section 403.5)	<del>\$290</del> <u>\$240</u>
Sources Listed in Fee Table F (see Section 403.6)	<del>\$6,200</del> <u>\$6,910</u>
Sources Listed in Fee Table G (see Section 403.7)	<del>\$4,030</del> <u>\$4,130</u>
Sources Listed in Fee Table H (see Section 403.8)	<u>\$6,910</u>
Sources Listed in Fee Table I (see Section 403.9)	<u>\$4,130</u>

#### **304 ANNUAL ADJUSTMENT OF FEES:**

**304.1** The Control Officer shall adjust the hourly rate every January 1, to the nearest 10 cents per hour, beginning on January 1, ~~2006~~ 2009. The Control Officer will multiply ~~\$108.00~~ \$133.50 by the Consumer Price Index (CPI) for the most recent year as described in Section 304.4 of this rule, and then divide by the CPI for the year ~~2004~~ 2008.

**304.2** The Control Officer shall adjust the administrative or permit processing fees listed in Sections 301-303 of this rule every January 1, to the nearest \$10, beginning on January 1, ~~2006~~ 2009. The Control Officer will multiply the administrative or permit processing fee by the Consumer Price Index (CPI) for the most recent year as described in Section 304.4 of this rule, and then divide by the CPI for the year ~~2004~~ 2008.

**304.3** The Control Officer shall adjust the rate for emission-based fees every January 1, beginning on January 1, ~~2006~~ 2009. The Control Officer will multiply ~~\$13.24~~ \$38.25 by the Consumer Price Index (CPI) for the most recent year as described in Section 304.4, and then divide by the CPI for the year ~~2004~~ 2008.

**304.4** The Consumer Price Index (CPI) for any year is the average of the monthly CPI for all urban consumers published by the United States Department of Labor, as of the close of the 12-month period ending on August 31 of that year.

**305 CALCULATION AND PAYMENT OF EMISSIONS-BASED FEES:**

**305.1** For purposes of this section, actual emissions means the actual quantity of regulated air pollutants emitted over the preceding calendar year or any other period determined by the Control Officer to be representative of normal source operations, determined as follows:

- a. Emissions quantities, including fugitive emissions, reported under Rule 100, Section 500 of these rules shall be used for purposes of calculating the emissions-based fee.
- b. Actual emissions quantities calculated under Rule 100, Section 500 of these rules shall be determined using the following methods:
  - (1) Whenever available, emissions estimates shall be calculated from continuous emissions monitors certified under 40 CFR Part 75, Subpart C and referenced appendices, or data quality assured pursuant to Appendix F of 40 CFR, Part 60 which are incorporated by reference in Appendix G of these rules.
  - (2) When sufficient data obtained using the methods described in Section 305.1(b)(1) of this rule is not available, emissions estimates shall be calculated from source performance tests conducted pursuant to Rule 270 of these rules.
  - (3) When sufficient data obtained using the methods described in Sections 305.1(b)(1) or (2) of this rule is not available, emissions estimates shall be calculated from material balance using engineering knowledge of process.
  - (4) When sufficient data obtained using the methods described in Sections 305.1(b)(1) through (3) of this rule is not available, emissions estimates shall be calculated using emissions factors from EPA Publication No. AP-42 "Compilation of Air Pollutant Emission Factors," Volume I: Stationary Point and Area Sources, which is incorporated by reference in Appendix G.
  - (5) When sufficient data obtained using the methods described in Sections 305.1(b)(1) through (4) of this rule is not available, emissions estimates shall be calculated by equivalent methods approved by the Control Officer. The Control Officer shall only approve methods that are

demonstrated as accurate and reliable as the applicable methods in Sections 305.1(b)(1) through (4) of this rule.

- c. Actual emissions quantities calculated under Section 305.1(b) of this rule shall be determined for each source on the basis of actual operating hours, production rates, in-place process control equipment, operational process control data, and types of materials processed, stored, or combusted.

**305.2** The following emissions of regulated air pollutants shall be excluded from a source's actual emissions for purposes of this section:

- a. Emissions of a regulated air pollutant from the source in excess of 4,000 tons per year.
- b. Emissions of any regulated air pollutant that are already included in the fee calculation for the source, such as a federally listed hazardous air pollutant that is already accounted for as a VOC or as PM<sub>10</sub>.
- c. Emissions from insignificant activities excluded from the permit for the source under Rule 210 of these rules.
- d. Fugitive emissions of PM<sub>10</sub> from activities other than crushing, belt transfers, screening, or stacking.
- e. Fugitive emissions of VOC from solution-extraction units.

**305.3** A notice to pay the fee specified in Section 301.2(b) of this rule, a declaration of emissions form and the annual emission inventory questionnaire will be mailed annually to the owner or operator of a source to which this applies. The emission fee is due and payable by April 30 each year or no later than 90 days following the date of notice, whichever is later.

**306 HEARING BOARD FILING FEE:** A person filing a petition with the Hearing Board under Rule 400 of these rules shall pay a fee of \$100.00. This fee may be refunded by a majority vote of the Hearing Board upon a showing of undue hardship.

**307 CONDITIONAL ORDER FEE:** Any person applying for a conditional order pursuant to Rule 120 of these rules shall pay a conditional order fee. The amount of a conditional order fee shall be equal to the amount of the applicable permit fee as specified in this rule.

**308 GASOLINE DELIVERY VESSEL DECAL FEE:** A person wishing to obtain a decal for each gasoline delivery vessel that passes the required

annual test under Rule 352 of these rules shall pay a fee of \$280.00. A person wishing to obtain a replacement decal shall pay a fee of \$80.00.

**309 ~~PERMIT TO BURN FEE~~ OPEN BURN FEE:**

**309.1 PERMIT TO BURN FEE:** A person applying for a Permit to Burn shall pay a fee as set forth in the following fee schedule:

Fire Category	Permit Period	Fee
Tumbleweeds	30 days	\$100.00
Fire Hazard	30 days	\$100.00
Fire Fighting Instruction	1 year	\$100.00
Ditch Bank/Fence Row	1 year	\$100.00
Disease/Pest Prevention	30 days	\$100.00
Land Clearance Less Than 5.0 Acres	30 days	\$150.00
Land Clearance 5.0 Acres Or Greater	30 days	\$350.00
<del>Air Curtain Destructor</del>	<del>30 days</del>	<del>\$350.00</del>

**309.2 AIR CURTAIN DESTRUCTOR BURN PLAN NOTIFICATION AND INSPECTION FEE:** Any person required to file an air curtain destructor Burn Plan under the provisions of Rule 314 of these rules shall pay a fee of \$350.00.

**310 DUST CONTROL PERMIT FEE:** A person applying for Dust Control Permit shall pay an annual fee as set forth in the following fee schedule, based on the total surface area that is disturbed:

Total Surface Area Disturbed:	Fee:
Annual Block Permit:	\$2000.00
0.1 to less than one acre:	<del>\$150.00</del> <u>\$350.00</u>
One acre or greater:	<del>\$36.00</del> <u>\$77.00</u> per acre plus <del>\$150.00</del> <u>\$350.00</u>
Example: 6 acres = <del>6 x \$36.00 + \$150.00 = \$366</del> <u>6 x \$77.00 + \$350.00 = \$812.00</u>	

**311 DUST CONTROL TRAINING CLASS FEE:**

**311.1 Basic Dust Control Training Class Fee** - A person required to complete basic dust control training shall pay a training class fee of \$25.00.

**311.2 Comprehensive Dust Control Training Class Fee** - A person required to complete comprehensive dust control training shall pay a training class fee of \$50.00.

**312 SUBCONTRACTOR REGISTRATION FEE:** A person required to register with the Control Officer under Rule 200 Section 306 of these rules and wishing to obtain a registration number shall pay an annual fee of \$50.00.

~~311~~ **313 ASBESTOS NOTIFICATION AND PLAN REVIEW FILING FEE:** Any person required to file notification under the provisions of Rule 370 of these rules shall pay a fee as follows:

~~311.1~~ **313.1** Any person filing notification of a project to renovate regulated asbestos-containing materials shall pay a nonrefundable notification and plan review filing fee of ~~\$425.00~~ \$800.00.

~~311.2~~ **313.2** Any person filing notification of a project to demolish a facility (as defined in 40 CFR 61, Subpart M) shall pay a nonrefundable notification and plan review filing fee of ~~\$425.00~~ \$800.00.

~~312~~ **314 LATE FEE:** The Control Officer shall assess the following fees in addition to all other applicable fees:

~~312.1~~ **314.1 TITLE V, NON-TITLE V, OR GENERAL PERMIT:** An owner/operator of a source requiring a permit who has received a Notice of Violation for constructing or operating without such permit shall pay a late fee of \$100.00.

~~312.2~~ **314.2 DUST CONTROL PERMIT:** Any person who is engaging in dust generating operations without a Dust Control Permit and has received a Notice of Violation for engaging in dust generating operations without a Dust Control Permit shall pay a late fee of \$100.00.

~~313~~ **315 DELINQUENCY FEE:** An applicant or permittee who fails to pay any required fee(s) by 30 days after invoice due date shall pay a delinquency fee of \$50.00 or a delinquency fee of \$100.00 if delinquent over 60 days from the invoice due date. Applicants and permittees will be notified by mail of any permit delinquency fees that are due and payable.

~~314~~ **316 SUBSCRIPTION FEE FOR RULE REVISIONS:** A person requesting to be placed on a mailing list to receive copies of new and revised rules shall pay to the Control Officer an annual subscription fee of \$35.00.

~~315~~ **317 ACCELERATED PERMIT PROCESSING FEE:** An applicant requesting accelerated permit processing shall pay fees to the Control Officer according to the following provisions:

~~315.1~~ **317.1** Such a request shall be accompanied by an initial fee of \$15,000. The fee is nonrefundable to the extent of the Control

Officer's costs for accelerating the processing if the Control Officer undertakes to provide accelerated processing as described in Rule 200, Section 313 of these rules.

~~315.2~~ **317.2** At any time after an applicant has requested accelerated permit processing, the Control Officer may request an additional advance payment fee based on the most recent estimated cost of accelerating the processing of the application.

~~315.3~~ **317.3** Upon completion of permit processing activities but before issuing or denying a permit or permit revision, the Control Officer shall send notice of the decision to the applicant along with a final invoice. The final invoice shall include all regular permit processing and other fees due, as well as the difference between the actual cost of accelerating the permit application, including any costs incurred by the Control Officer in contracting for, hiring, or supervising the work of outside consultants, and all advance payments submitted for accelerated processing. In the event all payments made exceed actual accelerated permit costs, the Control Officer shall refund the excess advance payments.

~~315.4~~ **317.1** Any additional costs incurred as a result of accelerated permit processing shall not be applied toward any applicable maximum fee described in this rule.

~~316~~ **318** **FAILURE TO PAY REQUIRED FEES:** Nonpayment of fees required by this rule constitutes a violation as provided in ARS §49-502, §49-511 and §49-513.

~~317~~ **319** **INFORMAL REVIEW OF PERMIT PROCESSING HOURS:**

~~317.1~~ **319.1** Any person who receives a final itemized invoice from the Control Officer under Section 301.1 or 302.1 of this rule for a billable permit action may request an informal review of the permit processing hours billed and may pay the invoice under protest as provided below. If the invoice is paid under protest, the Control Officer shall issue the permit.

~~317.2~~ **319.2** The request for an informal review of the permit processing hours billed shall be made in writing, and received by the Control Officer within 30 days of the invoice date. Unless the Control Officer and person agree otherwise, the informal review shall take place within 30 days after the Control Officer's receipt of the request. The Control Officer shall arrange the date and location of the informal review with the person at least 10 business days before the informal review. The Control Officer shall review whether the amounts of time billed are correct and reasonable for the tasks involved. The Control Officer shall mail

his or her decision on the informal review to the person within 10 business days after the informal review date. The Control Officer's decision after the informal review shall be final.

**320 HAZARDOUS AIR POLLUTANTS TIER 4 RISK MANAGEMENT ANALYSIS FEE:** If an applicant uses the Tier 4 method for conducting a risk management analysis (RMA) according to Rule 372 of these rules, the applicant shall pay any costs incurred by the Control Officer in contracting for, hiring or supervising work of outside consultants.

**401 EFFECTIVE DATE OF FEES:** The fees, except for the ~~emissions-fee~~ emissions-based fee, in this rule ~~became~~ become effective ~~July 1, 2005~~ April 1, 2008. The revised ~~emissions-fee~~ emissions-based fee ~~became~~ becomes effective January 1, ~~2006~~ 2009, beginning with the emissions reported for calendar year ~~2005~~ 2008.

**402 PAYMENT OF FEES:** All fees required by this rule shall be payable to Maricopa County Air Quality Department.

**402.1 Annual Administrative Fees:**

- a. **Title V and Non-Title V Permits:** The Control Officer shall mail the owner or operator of a Title V or Non-Title V source an invoice for the annual administrative fee due under Sections 301.2 and 302.2 of this rule at least 30 days prior to the anniversary date of the permit.
- b. **General Permits:** The Control Officer shall mail the owner or operator of a source authorized to operate under a General Permit an invoice for the annual administrative fee due under Section 303.2 of this rule at least 30 days prior to the anniversary date of the authorization to operate.

**402.2 Gasoline Delivery Vessel Decal Fee:** Gasoline delivery vessel decal fee shall be paid at the time the application is submitted showing satisfactory test results and prior to the issuance of the decal required in the provisions of Rule 352 of these rules.

**402.3 Asbestos Removal Notification And Plan Review Filing Fee:** The asbestos notification and plan review filing fee shall be paid at the time the notification is submitted. The notification is not considered filed until the appropriate filing fee is paid.

**402.4 Other Fees:** Other fees shall be paid in the manner and at the time required by the Control Officer.

**403 FEE TABLE A, B, C, D, E, F, ~~AND G, H, AND I~~ SOURCES:** Fee Tables ~~A—G~~ A - I list processes and equipment subject to the fees outlined in

Sections 302.2, 303.1, and 303.2 of this rule. For processes and equipment not listed below, the Control Officer will designate Fee Table A, B, C, D, E, F, ~~or~~ G, H or I, as applicable. Sources reclassified to a higher fee table due to the receipt of 3 complaints on different dates during a one year period from different individuals resulting in violations resolved by an order of abatement by consent or judicial action shall remain in that fee table until two calendar years pass without complaints against the facility resulting in violations resolved by an order of abatement by consent or judicial action.

**403.1 Fee Table A Sources:**

Aircraft Manufacturing  
Chemical Manufacturing, Dry  
Chemical Manufacturing, Liquid  
Circuit Board Manufacturing  $\geq$  Greater-Than Or Equal To 5 Tons  
per Per Year VOC  
Coating Line, Can/Coil/Fabric/Film/Glass/Paper  
Ethylene Oxide Sterilization  
Gypsum, Calcining  
Incinerator, Medical Waste  
Incinerator, Hazardous Material  
Insulation Manufacturing  
Jet or ~~Auxiliary~~ Auxiliary Engine Manufacturing  
Non-Major Title V Source  
Pesticide/Herbicide Production  
Petroleum Loading Racks And Storage Tanks At Bulk Terminals  
Pharmaceutical Manufacturing  
Polymeric Foam Products  $\geq$  Greater-Than Or Equal To 25 Tons  
Per Year Potential Uncontrolled VOC Emissions Or Facility With  
Controls Subject To Source Testing  
Power Plant  $\geq$  Greater-Than Or Equal To 25 Tons Per Year  
Potential Uncontrolled NOx Emissions  
Printing Facilities  $\geq$  Greater-Than Or Equal To 25 Tons Per Year  
Potential Uncontrolled VOC Emissions Or Facility With Controls  
Subject To Source Testing  
Rendering  
Rubber Products Manufacturing  
Semiconductor Manufacturing  $\leq$  Less-Than 25 Tons Per Year Of  
Potential Uncontrolled VOC Emissions  
Solid Waste Landfill  
Source Subject To BACT Determination  
Source Subject To A MACT, NESHAPS Or NSPS Standard Under  
CAA Section 111 Or 112 Unless Otherwise Identified In  
Another Fee Table  
Source With 3 Or More Fee Table B Processes  
Vegetable Oil Extraction

**403.2 Fee Table B Sources:**



Aerospace Products Manufacturing & Rework Not Subject To  
MACT

Aggregate Screening

Animal Feed Processing

Auto Body Shredding

Bakery With Oven Of  $\geq$  Greater-Than Or Equal To 25 Tons Per  
Year Of Potential Uncontrolled VOC Emissions Or Facility With  
Controls

Boiler, Gas Fired Or With Emergency Fuel Capabilities, (Each Unit  
 $\geq$  Greater-Than Or Equal To 10 MMBtu/Hr)

Chemical/Fertilizer Storage, Mixing, Packaging And Handling

Concrete Product Manufacturing

Cement Terminal

Cotton Gin

Cotton Seed Processing

Crematory

Cultured Marble

Fiberglass Product Manufacturing

Flour Milling

Foundry

Furnace, Metals

Furnace, Burn-Off

Furnace, Electric Arc

Furnace, Other

Gas Turbine, Non-Utility (Utility In Fee Table A)

Grain Cleaning/Processing

Grain Storage

Incinerator, Non-Hazardous Material

Internal Combustion Engine, Other Than Emergency

Metal Recovery/Reclamation

Pipeline Transmission Facility

Plating Tanks, Electrolytic ~~or~~ Or Electrowinning (Includes  
Decorative Chrome And Hard Chrome Operations  $\leq$  Less-Than  
Or Equal To 60 Million Amp/Hrs Per Year Subject To Area  
Source MACT)

Polymeric Foam Products  $\leq$  Less-Than 25 Tons Per Year Potential  
Uncontrolled VOC Emissions

Power Plant  $\leq$  Less-Than 25 Tons Per Year Potential Uncontrolled  
NOx Emissions

Reinforced Plastics

Rubber Products Manufacturing With Only Molding

Soil Treatment/Remediation

Soil Solvent Extraction System With Package Thermal/Catalytic  
Oxidizer/Carbon Adsorption

Solvent Degreasing/Cleaning System, Solvent Use  $\geq$  Greater-Than  
3 Gallons Per Day

Solvent Reclaiming

Source With 3 Or More Fee Table C Processes

Stage I Vapor Recovery, Bulk Plants With Loading Racks  
Stripping Operation, Equipment Or Furniture Refurbishment  
Tire Shredding/Retreading  
Wastewater Treatment Plant  
Wood Coating Operation Subject To RACT Including  
Furniture/Millwork Sources Larger Than 10 TPY VOC  
Any Fee Table A, F, or G Source Whose Aggregate ~~of~~ Of All  
Equipment, Processes Or Production Lines Has Enforceable  
Permit Limits of  $\leq$  Less-Than 2.0 Tons Per Year VOC ~~or~~ Or  
NO<sub>x</sub>, ~~or~~ And  $\leq$  Less-Than 1.0 Ton Per Year PM<sub>10</sub>  
Any Fee Table C Source That Receives 3 Complaints On Different  
Dates During A One Year Period From Different Individuals  
Resulting In Violations Resolved By An Order Of Abatement By  
Consent Or Judicial Action

#### **403.3 Fee Table C Sources:**

Abrasive Blasting  
Asphalt Day Tanker/Kettle  
Cement Products Packaging/Distribution  
Circuit Board Assembly  
Circuit Board Manufacturing  $\leq$  Less-Than 5 Tons Per Year Of VOC  
Dry Cleaning (Includes Perchloroethylene Dry Cleaning Facilities  
Subject To Area Source MACT)  
Emergency Internal Combustion Engine  
Engine Testing  
Food Processing  
Incinerator, Paper And Cardboard Products  
Injection ~~molding~~ Molding  
Landscape And Decorative Rock, Gravel, And Sand Distribution  
Laundry, Other Than Dry Cleaning  
Miscellaneous Acid/Solvent Use  
Packaging, Mixing & Handling, Granular Or Powdered Material  
Other Than Cement Or Grain  
Petroleum Storage, Non-Retail Dispensing Operations Exempted  
From Stage I Vapor Recovery By Rule 353  
Plastic Or Metal Extrusion  
Plating, Electroless  
Powder Coating  
Printing Facilities  $\leq$  Less-Than 25 Tons Per Year Of Potential  
Uncontrolled VOC Emissions  
Semiconductor Lab/Testing/Services  
Non-Halogenated Solvent Cleaning,  $\leq$  Less-Than 3 Gallons Per  
Day  
Solvent Storage/Handling  
Spray Coating  
Bulk Plant Loading Facilities As Defined By Rule 351, Section  
305.1  
Storage Tank, Non-Petroleum Volatile Organic Compounds

Stripping Operation, Liquid Chemical Groundwater/Wastewater  
Remediation  
Vehicle Refinishing  
Waste Transfer Facility  
Water Reclamation  
Sewage Lift Pump Station  
Drinking Water Plant  
Wood Furniture/Millwork/Small Source Less Than 10 TPY VOC  
Yard/Stockpiling

**403.4 Fee Table D Sources:**

Service Station And Non-Resale Dispensing Operations > Greater-  
Than 120,000 Gallons Per Year

**403.5 Fee Table E Sources:**

Fuel Burning Equipment

**403.6 Fee Table F Sources:**

Aggregate Production/Crushing Subject To An NSPS Under CAA  
Section 111  
Hot Mix Asphalt Plants  
~~Semiconductor Manufacturing  $\geq$  25 Tons Per Year Potential  
Uncontrolled VOC Emissions Or Facility With Controls Subject  
To Source Testing  
Any Fee Table A Or G Source That Receives 3 Complaints On  
Different Dates During A One Year Period From Different  
Individuals Resulting In Violations Resolved By An Order Of  
Abatement By Consent Or Judicial Action~~

**403.7 Fee Table G Sources:**

Aggregate Production/Crushing Not Subject To NSPS Under CAA  
Section 111  
Concrete Batch Plant  
~~Any Fee Table B Source That Receives 3 Complaints On Different  
Dates During A One Year Period From Different Individuals  
Resulting In Violations Resolved By An Order Of Abatement By  
Consent Or Judicial Action~~

**403.8 Fee Table H Sources:**

Semiconductor Manufacturing Greater-Than Or Equal To 25 Tons  
Per Year Potential Uncontrolled VOC Emissions Or Facility With  
Controls Subject To Source Testing  
Any Fee Table A Or G Source That Receives 3 Complaints On  
Different Dates During A One Year Period From Different  
Individuals Resulting In Violations Resolved By An Order Of  
Abatement By Consent Or Judicial Action

**403.9 Fee Table I Sources:**

Draft Rule 280 - October 9, 2007

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Any Fee Table B Source That Receives 3 Complaints On Different  
Dates During A One Year Period From Different Individuals  
Resulting In Violations Resolved By An Order Of Abatement By  
Consent Or Judicial Action

**SECTION 500 - MONITORING AND RECORDS (NOT APPLICABLE)**